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CUSTOMER NO: 61263

Date May 14, 2008 Attorney Docket No. 23558-028US

Total Pages (Including Cover)

From Paul M. Booth

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Message

**OFFICIAL COMMUNICATION**

RE: U.S. Application No. 10/712,266  
Filing Date: November 14, 2003  
First Named Inventor: Richard Bruce BRANDON et al.  
Art Unit: 7950  
Examiner: Sharick Naqi

**SUBMITTED PAPERS:**

-CERTIFICATE OF TRANSMISSION UNDER 37 CFR 1.8 FORM PTO/SB/97 (1 page)

-TRANSMITTAL FORM PTO/SB/21 (1 page)

-FEE TRANSMITTAL (1 page)

-AMENDMENT AND RESPONSE PURSUANT TO 37 CFR §1.111 (19 pages)

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PTO/SB/97 (06-04)

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**IDENTIFIED SUBMITTED PAPERS RE: APPLN NO. 10/712,266**

- CERTIFICATE OF TRANSMISSION UNDER 37 CFR 1.8 FORM PTO/SB/97 (1 page)
- TRANSMITTAL FORM PTO/SB/21 (1 page)
- FEE TRANSMITTAL (1 page)
- AMENDMENT (19 pages)

This collection of information is required by 37 CFR 1.8. The information is required to obtain or retain a benefit by the public which is to file, and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

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# TRANSMITTAL FORM

Application Serial Number	10/712,266
Filing Date	November 14, 2003
Application of	Richard Bruce Brandon et al.
Group Art Unit	3736
Examiner	Sharick Naqi
Attorney Docket No.	23558-028US
Patent No.	Not applicable
Issue Date	Not applicable

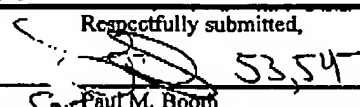
## ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fcc Transmittal Form <input type="checkbox"/> Check Attached <input type="checkbox"/> Copy of Fee Transmittal Form <input checked="" type="checkbox"/> Amendment/Response <input checked="" type="checkbox"/> Restr. Req. <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Letter to Official Draftsperson including Drawings [Total Sheets <u>      </u> ] <input checked="" type="checkbox"/> Petition for Extension of Time <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Form PTO-1449 <input type="checkbox"/> Copies of IDS Citations <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Sequence Listing submission <input type="checkbox"/> Paper Copy/CD <input type="checkbox"/> Computer Readable Copy <input type="checkbox"/> Statement verifying identity of above	<input type="checkbox"/> Copy of Notice to File Missing Parts of Application (PTO-1553) <input type="checkbox"/> Formal Drawing(s) <input type="checkbox"/> Request For Continued Examination (RCE) Transmittal <input checked="" type="checkbox"/> Power of Attorney (w/ 3.73(b) form) <input type="checkbox"/> Terminal Disclaimer <input checked="" type="checkbox"/> Executed Declaration and Power of Attorney for Utility or Design Patent Application <input checked="" type="checkbox"/> Small Entity Statement <input type="checkbox"/> CD(s) for large table or computer program <input type="checkbox"/> Amendment After Allowance	<input type="checkbox"/> Request for Certificate of Correction <input type="checkbox"/> Certificate of Correction (in duplicate) <input type="checkbox"/> Notice of Appeal to Board of Patent Appeals and Interferences <input type="checkbox"/> Appeal Brief (in triplicate) <input type="checkbox"/> Status Inquiry <input type="checkbox"/> Return Receipt Postcard <input type="checkbox"/> Certificate of Facsimile Transmission under 37 C.F.R. 1.8 <input type="checkbox"/> Additional Enclosure(s) (please identify below)
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## CORRESPONDENCE ADDRESS

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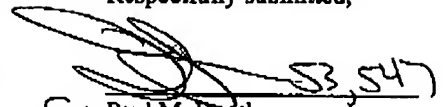
## SIGNATURE BLOCK

Respectfully submitted,  
  
 Date: May 14, 2008  
 Reg. No.: 40,244  
 Tel. No.: (202) 416-6800  
 Fax No.: (202) 416-6899  
 Paul M. Booth  
 Attorney for the Applicant(s)  
 Proskauer Rose LLP  
 1001 Pennsylvania Ave., N.W.  
 Suite 400, South  
 Washington, D.C. 20004

## FEE TRANSMITTAL

Complete if Known	
Application Serial No.	10/712,266
Filing Date	November 14, 2003
First Named Inventor	Richard Bruce Brandon
Group No.	3736
Examiner Name	Shariek Naqi
Confirmation No.	7950

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<input checked="" type="checkbox"/> The Commissioner is hereby authorized to credit or charge any fee indicated below for this submission to Deposit Account No. 50-3840 <input checked="" type="checkbox"/> Required Fees (copy of this sheet enclosed). <input checked="" type="checkbox"/> Additional fee required under 37 CFR 1.16 and 1.17. <input checked="" type="checkbox"/> Overpayment Credit.								
<input checked="" type="checkbox"/> Applicant claims small entity status.								
FEE CALCULATION								
1. BASIC FILING, SEARCH, AND EXAMINATION FEES								
Application Type	Filing	Search	Examination	Fee Paid	Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description	Fee Paid
Utility	300	500	200		130	65	Surcharge - late filing fee or oath	
Design	200	100	130		50	25	Surcharge - late provisional filing fee or cover sheet	
Plant	200	300	160		130	130	Non-English specification	
Reissue	300	500	600		2,520	2,520	Request for ex parte re-examination	
Provisional	200	0	0		120	60	Extension for reply within 1 <sup>st</sup> mo.	\$60.00
					450	225	Extension for reply within 2 <sup>nd</sup> mo.	
					1,020	510	Extension for reply within 3 <sup>rd</sup> mo.	
					1,590	795	Extension for reply within 4 <sup>th</sup> mo.	
					2,230	1,115	Extension for reply within 5 <sup>th</sup> mo.	
					500	250	Notice of Appeal	
					500	250	Filing a brief in support of an appeal	
					1,000	500	Request for oral hearing	
					400	0	Petitions to the Director	
					180	180	Submission of IDS	
					790	395	Filing a submission after final rejection (37 CFR 1.129(a))	
					790	395	For each additional invention to be examined (37 CFR 1.129(b))	
					100	100	Certificate of Correction for applicant's error	
					130	65	Submission of Terminal Disclaimer	
					Other fee (Specify)		Petition to Revive an Abandoned Application Unintentional	
					Other fee (Specify)			
2. EXCESS CLAIM FEES					4. TOTAL: \$60.00			
Each claim over 20 or, for Reissues, each claim over 20 and more than in the original patent					50	25		
Each independent claim over 3 or, for Reissues, each independent claim more than in the original patent.					200	100		
Total Claims					Extra Claims		Fee Paid (\$)	
- 20 or HP=					x \$			
HP = highest number of total claims paid for, if greater than 20								
Indep. Claims					Extra Claims		Fee Paid (\$)	
- 3 or HP=					x \$			
HP = highest number of total claims paid for, if greater than 3								
Multiple Dependent Claims					Fee(\$)	Small Entity fee (\$)	Fee Paid (\$)	
					360	180		
2. TOTAL:								
3. APPLICATION SIZE FEE					TOTAL AMOUNT SUBMITTED			
If the specification and drawing exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).								
Total Sheets	Extra Sheets	Additional 50 or fraction thereof	Fee (\$)	Fee Paid				
-100=	0	/50=	round up to a whole number	x	=	0.00		
3. TOTAL:								
CORRESPONDENCE ADDRESS					SIGNATURE BLOCK			
Direct all correspondence to: PATENT ADMINISTRATOR Proskauer Rose LLP 1001 Pennsylvania Avenue, N.W., Suite 400 Washington, D.C. 20004 Tel. No.: (202) 416-6800 Fax No.: (202) 416-6899 CUSTOMER NO. 61263					Respectfully submitted,  Date: May 14, 2008 Reg. No.: 40,244 Tel. No.: (202) 416-6800 Fax No.: (202) 416-6899 Paul M. Booth Attorney for the Applicant(s) Proskauer Rose LLP 1001 Pennsylvania Ave., N.W., #400 Washington, D.C. 20004			